

SUBSTITUTE ORDINANCE NO. BL2018-1099

An ordinance to amend Title 17 of the Metropolitan Code of Laws, the Zoning Ordinance of The Metropolitan Government of Nashville and Davidson County, by changing from RS5 to SP zoning on property located at 207 Myrtle Street, approximately 165 feet south of Smiley Street, (0.27 acres), to permit up to one detached two-family ~~four multi-family~~ residential units, all of which is described herein (Proposal No. 2017SP-097-001).

NOW, THEREFORE, BE IT ENACTED BY THE COUNCIL OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY:

Section 1. That Title 17 of the Code of Laws of The Metropolitan Government of Nashville and Davidson County, is hereby amended by changing the Official Zoning Map for Metropolitan Nashville and Davidson County, which is made a part of Title 17 by reference, as follows:

By changing from RS5 to SP-R zoning on property located at 207 Myrtle Street, approximately 165 feet south of Smiley Street, (0.27 acres), to permit up to one detached two-family ~~four multi-family~~ residential units, being Property Parcel No. 187 as designated on Map 082-12 Official Property Identification Maps of The Metropolitan Government of Nashville and Davidson County, all of which is described by lines, words and figures on the plan that was duly considered by the Metropolitan Planning Commission, and which is on file with the Metropolitan Planning Department and Metropolitan Clerk's Department and made a part of this ordinance as though copied herein.

Section 2. Be it further enacted, that the Metropolitan Clerk is hereby authorized and directed, upon the enactment and approval of this ordinance, to cause the change to be on Map 082 of said Official Zoning Map for Metropolitan Nashville and Davidson County, as set out in Section 1 of this ordinance, and to make notation thereon of reference to the date of passage and approval of this amendatory ordinance.

Section 3. Be it further enacted, that the uses of this SP shall be limited to a maximum of one detached two-family ~~four multi-family~~ residential units.

Section 4. Be it further enacted, that a corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.

Conditions:

- ~~1. Elevations consistent with the architectural standards in the Preliminary SP shall be provided with the submittal of the Final Site plan.~~
- ~~2. The development shall comply with all conditions and recommendations of the Nashville Fire Department Fire Marshal's Office, the Metropolitan Department of Public Works, and the Metropolitan Traffic and Parking Commission.~~
- ~~3. The development shall further comply with all conditions and recommendations of the Metropolitan Water Services Department and Stormwater Management Committee.~~
- ~~4. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.~~

1. On the corrected set, revise SP Development Summary Use to Two-Family from Single family.
2. On the corrected set, revise SP Development Summary Lot Access to Alley only, remove shared access Myrtle.
3. On the corrected set, add the following note: Maximum height shall be measured to the highest point of the roof.

4. Contribution in-lieu of sidewalk construction shall be made. Sidewalks are required by the MCSP to be a five-foot sidewalk and four foot grass strip. A variance is appropriate given the existence of a complete sidewalk network on this block. Applicant must apply for a variance through the Board of Zoning Appeals.
5. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
6. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

Section 5. Be it further enacted that minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Unless approved via ordinance by the Metropolitan Council, modifications shall not be permitted that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.

Section 6. Be it further enacted, if a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the ~~R6-A~~ ~~RM9-A~~ zoning district as of the date of the applicable request or application. Uses are limited as described in the Council approved plan.

Section 7. Be it further enacted, that this ordinance take effect immediately after its passage and such change be published in a newspaper of general circulation, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

INTRODUCED BY:

Scott Davis
Member of Council